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DE RUEHGO #0745/01 1581004
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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4642
INFO RUEHGV/USMISSION GENEVA IMMEDIATE 2705
RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHBJ/AMEMBASSY BEIJING 0923
RUEHBY/AMEMBASSY CANBERRA 9696
RUEHKA/AMEMBASSY DHAKA 4184
RUEHLO/AMEMBASSY LONDON 1640
RUEHNE/AMEMBASSY NEW DELHI 3366
RUEHUL/AMEMBASSY SEOUL 6792
RUEHTC/AMEMBASSY THE HAGUE 0521
RUEHKO/AMEMBASSY TOKYO 4407
RUEHCI/AMCONSUL CALCUTTA 0773
RUEHCN/AMCONSUL CHENGDU 0775
RUDKIA/AMCONSUL CHIANG MAI 0445
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC
RUCNDT/USMISSION USUN NEW YORK 0349
RUEHBS/USEU BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000745

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STATE FOR EAP/MLS; PACOM FOR FPA

E.O. 12958: DECL: 12/08/2015

TAGS: [ELAB](#) [ECON](#) [PGOV](#) [BM](#)

SUBJECT: GOB RELEASES ONE LABOR RIGHTS PRISONER

REF: A. RANGOON 699

[1](#)B. RANGOON 94

[1](#)C. 05 RANGOON 1420

[1](#)D. 05 RANGOON 1174

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Classified By: Econoff TLManlowe for Reason 1.4 (b,d).

[1](#)1. (C) Summary: The GOB, facing increased scrutiny of its forced labor practices at the annual International Labor Conference (ILC) in Geneva, responded on June 6 by releasing Su Su Nway, who was imprisoned in 2005 in retaliation for bringing a successful forced labor lawsuit against authorities. In addition to concessions currently under discussion in Geneva, the GOB also amended the domestic labor law slightly to enforce the right to paid leave. End summary.

[1](#)2. (C) ILO Representative Richard Horsey told us in May (ref A) that the ILO has repeatedly informed GOB officials that its actions to address forced labor would lack credibility if prisoners Su Su Nway and Aye Myint remained in detention. On May 31, the Supreme Court refused to hear a Special Appeal brought by Su Su Nway's lawyer. On June 6, almost one week after the ILC opened, prison authorities told Su Su Nway that she was released under Criminal Procedure Act 401. Under this Act, the head of state may suspend all or part of a sentence. The GOB has used this procedure to release other NLD members in the past.

[1](#)3. (U) Upon her release, Su Su Nway went immediately to NLD headquarters, where the press interviewed her. She said that she is in good health. Su Su Nway relayed that the authorities told her she was released unconditionally, then took her to the prison warden's office for photographs and a speech. Afterward, authorities hired the taxi that brought her directly to NLD headquarters. "I belong to the NLD as an NLD Youth member," she said.

¶4. (SBU) Su Su Nway told the press she was ready to return to prison if the authorities arrested her again for activities that promote democracy. "If I were afraid of being arrested, I would have never started this in the first place," she said. She called for the release of all political prisoners, saying she would not be happy until Aung San Suu Kyi is free. After a medical checkup in Rangoon, Su Su Nway planned to return home on June 7.

¶5. (C) The GOB sentenced Su Su Nway to eighteen months imprisonment in October 2005, claiming she verbally threatened authorities after she had successfully brought a forced labor case that resulted in detention for local officials. Su Su Nway's fate has been followed both locally and internationally, with a website devoted to developments on her case. During his May 20 meeting with Senior General Than Shwe, U/SYG Gambari asked for the release of Su Su Nway and Aye Myint, a lawyer imprisoned for pursuing a case of forced labor. After being released from an earlier death sentence (for contacting the ILO), Aye Myint was re-arrested in September 2005 and sentenced to seven years imprisonment for "spreading false information." NLD contacts confirmed that, as of June 7, Aye Myint remains in Bago prison .

¶6. (C) On May 31, the GOB made minor amendments to the Leave and Holidays Act to confirm workers' rights to ten days of leave after working for twelve months, and to assign the Ministry of Labor to ensure that private companies, as well as public enterprises, adhere to the regulations. Local press reports linked GOB action on the amendments to the ILC.

¶7. (C) Comment: Su Su Nway's administrative release is not an admission that she was imprisoned wrongfully in the first place. While her release is welcome news, this eleventh hour concession is unlikely to end ILO and international pressure

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on the regime, since it has yet to show any desire to end forced labor in Burma. End comment.
STOLTZ